Office Action Summary	Application No.	Applicant(s)
	10/775,550	BALASSANIAN, EDWARD
	Examiner	Art Unit
	DANIEL SELLERS	2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 April 2011*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *3-13 and 17-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3-13 and 17-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 January 2009* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)	
1) ☐ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.	6) ☐ Other: _____.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,550	04/12/2006	Edward Balassanian	PA1049US	6693

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EXAMINER	
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ART UNIT	PAPER NUMBER
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08/10/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 3-13 and 17-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 3, 4, 6-13, 17, 18, and 20-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiser et al. (previously cited and hereinafter Wiser), US 6,385,596 B1, in view of Gibbs, US 6,963,784 B1 (previously cited as pertinent non-cited), and further in view of Zintel et al. (previously cited and hereinafter Zintel), US 6,725,281 B1.

4. Regarding claims 3, 4, and 6, they depend from claim 7 and are addressed following the rejection of claim 7.

5. Regarding **claim 7**, Wiser teaches a system for streaming audio, the system comprising:

> a first computing device coupled to a network, the first computing device comprising a first receiver module configured to receive an audio data stream comprising audio content via

the network and to play the audio content on a first audio output device (see Wiser, figure 1A, unit 116, figure 1B, unit 124, column 5, line 43 - column 6, line 27, and column 10, lines 1-16);

a **first** computing device coupled to the network, the second computing device comprising a browser module configured to generate a user interface for receiving an audio content identification identifying audio content and a receiver identification identifying the first receiver module (see Wiser, figure 1A, unit 128, column 14, line 40 - column 15, line 32);

a third computing device coupled to the network, the third computing device comprising a content server module, the browser module being configured to send a command to the content server module instructing the content server module to obtain audio data comprising the audio content identified by the audio content identification and stream the audio data to the receiver module identified by the receiver identification, the content server module being configured to receive the command from the browser module, and in response thereto, obtain the audio data, and stream the audio data to the receiver module (see Wiser, column 15, line 33 - column 16, line 25),

...

a fourth computing device coupled to the network, the fourth computing device comprising a second receiver module configured to receive the audio data stream comprising audio content via the network and to play the audio content on a second audio output device (see Wiser, figure 1A, unit 126, column 5, line 43 - column 6, line 27, and column 10, lines 1-16, wherein it is implied that there are multiple clients), and

Wiser teaches the above features in a system for streaming audio. Wiser teaches a separate receiver, browser, and content server module for performing the above functions in several clients. Wiser teaches a client server configuration, wherein it is obvious that the content server module is further configured to identify to which of the first receiver module and the second receiver module the audio data is to be streamed based on a receiver identification (e.g. Internet Protocol (IP) addresses are one method of identifying a client on a network). However, Wiser does not appear to teach that the first computing device and the second computing device coupled to the network are different device. Wiser teaches a receiver module and a browser module on the same first computing device (see Wiser, see figure 1A, units 116 and 128).

Gibbs teaches a device control module for controlling various devices in an ad-hoc network (see Gibbs, abstract). Specifically, Gibbs teaches one device, using a GUI, to control by proxy other devices in the HAVI-compliant home audio-video network (see Gibbs, column 3, lines 10-36 and column 10, lines 7-28). Gibbs teaches that the control, or FAV device, can be a home PC, which can control the other devices in the network (see Gibbs, column 7, line 62 – column 8, line 42 and column 9, line 49 – column 10, line 6). It is clear that Gibbs teaches a control node, such as a home PC to control a receiver (20) or a CD unit (24) (see Gibbs, figure 1A, units 10a, 20, and 24 and column 7, line 62 – column 8, line 9). It would have been obvious at the time of the invention for one of ordinary skill in the art to combine the teachings of Wiser and Gibbs for the purpose of receiving audio streamed from the internet (see Wiser, column 3, lines 5-10) in a home AV network (see Gibbs, column 2, lines 43-59). In the combination, it is clear that Gibbs teaches a separate receiver module and browser module in separate computing devices (see Gibbs, column 8, lines 14-18). However the combination of Wiser and Gibbs does not appear to explicitly teach:

the first receiver module being further configured to send a first receiver announcement to other computing device coupled to the network announcing implementation of the first receiver module on the first computing device,

the browser module being further configured to send a browser announcement to other computing devices coupled to the network announcing implementation of the browser module on the second computing device, and

the content server module being further configured to send a content server announcement to other computing devices coupled to the network announcing implementation of the content server module on the third computing device,

...

the second receiver module is configured to:

send a second receiver announcement to other computing devices coupled to the network announcing implementation of the second receiver module on the fourth computing device, each of the first receiver module, the browser module, and the content server module being unaware of the implementation of the second receiver module before receiving the second receiver announcement;

receive the content server announcement sent by the content server module, the second receiver module being unaware of the implementation of the content server module before receiving the content server announcement; and

after receiving the content server announcement, play audio data streamed to the second receiver module by the content server module, wherein the receiver identification included in the command sent to the content server module by the browser module indicates to which of the first receiver module and the second receiver module the audio data is to be streamed, and the content server module is further configured to identify to which of the first receiver module and the second receiver module the audio data is to be streamed based on the receiver identification, and stream the audio data to the identified receiver module.

Zintel teaches a method of discovery and control among various devices using Universal Plug and Play (UPnP) protocols (see abstract and column 4, lines 5-54). Specifically, Zintel teaches a discovery of modules, servers, and other devices through announcements (see column 5, lines 13-48, column 6, lines 26-65, column 7, lines 44-52, and column 11, lines 62-65). More specifically, several devices can locate and utilize remote storage or remote capabilities through the announcements of each module (see column 43, lines 51-67, column 44, lines 46-57, column 45, line 25 - column 46, line 3, column 46, line 52 - column 47, line 24, column 49, line 24 - column 50, line 41, and column 51, lines 2-38). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Wiser, Gibbs, and Zintel for the purpose of setting up clients with little user intervention or input.

6. Regarding **claim 3**, see the preceding rejection with respect to claim 7.

The combination teaches the system of claim 7, further comprising:

a plurality of registered audio data sources connected to the network, wherein the command sent by the browser module identifies one of the registered audio data sources, and the audio data streamed to the receiver module is obtained by the content server module from the identified registered audio data source (see Wiser, column 6, lines 29-46 and column 9, lines 40-67).

7. Regarding **claim 4**, see the preceding rejection with respect to claim 7.

The combination teaches the system of claim 7, wherein

the network is connected to the Internet and at least a portion of the plurality of registered audio data sources are connected to the content server module via the Internet (see Wiser, column 6, lines 15-27).

8. Regarding **claim 6**, see the preceding rejection with respect to claim 7.

The combination teaches the system of claim 7, wherein

the third computing device further comprises a local storage device comprising audio data, and the audio data streamed to the receiver module is obtained by the content server module from the local storage device (see Zintel, column 6, lines 26-65, wherein it is obvious to have one device implement one or more features of separate devices and Wiser teaches some devices that could be combined to provide a content server with local storage, see col. 6, lines 15-27).

9. Regarding **claim 8**, see the preceding rejection with respect to claim 7.

The combination teaches these features, wherein it is obvious to want to start

and stop a stream at any of the client devices (see Gibbs, column 7, line 62 –

column 8, line 42 and column 9, line 49 – column 10, line 6).

10. Regarding **claim 9**, see the preceding rejection with respect to claim 7.

The combination teaches the system of claim 7, wherein the first computing

device and the second computing device are implemented by a single computing device (see Zintel, column 6, lines 63-65).

11. Regarding **claim 10**, see the preceding rejection with respect to claim 9. The combination makes obvious these features.

12. Regarding **claim 11**, see the preceding rejection with respect to claims 9. The combination makes obvious these features.

13. Regarding **claim 12**, see the preceding rejection with respect to claim 7. The combination teaches the system of claim 7, wherein

the content server module further comprises a list of audio data files, the content server module is further configured to provide information associated with the audio data files to the browser module, the user interface generated by the browser module displays at least a portion of the information associated with the audio data files and receives an indication of a selection of at least one of the audio data files, and the audio content identifier included in the command sent by the browser module to the content server module identifies the selected audio data file (see Wiser, column 14, line 40 - column 16, line 25).

14. Regarding **claim 17**, see the preceding rejection with respect to claims 7, 8, and 3. The combination teaches the system of claim 8, further comprising these features.

15. Regarding **claim 18**, see the preceding rejection with respect to claims 7, 8, and 4. The combination teaches the system of claim 8, further comprising these features.

16. Regarding **claim 20**, see the preceding rejection with respect to claims 7, 8, and 6. The combination teaches the system of claim 8, further comprising these features.

17. Regarding **claim 21**, see the preceding rejection with respect to claims 7, 8, and 9. The combination teaches the system of claim 8, further comprising these features.

18. Regarding **claim 22**, see the preceding rejection with respect to claims 7, 8, and 10. The combination teaches the system of claim 8, further comprising these features.

19. Regarding **claim 23**, see the preceding rejection with respect to claims 7, 8, and 11. The combination teaches the system of claim 8, further comprising these features.

20. Regarding **claim 24**, see the preceding rejection with respect to claims 7, 8, and 12. The combination teaches the system of claim 8, further comprising these features.

21. **Claims 5 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wiser, Gibbs, and Zintel as applied to claim 3 above, and further in view of Cohen, William W. and Wei Fan, "Web-collaborative filtering: recommending music by crawling the Web", 23 May 2000, Elsevier Science B.V., pp. 1-14 (hereinafter Cohen).

22. Regarding **claim 5**, see the preceding rejection with respect to claim 3. The combination of Wiser, Gibbs, and Zintel teaches the system of claim 3. However, they do not appear to explicitly teach:

the content server module further comprises a file crawler configured to locate audio data files on the plurality of registered audio data sources and provide information associated with the located audio data files to the browser module, the user interface of the browser module displays at least a portion of the information associated with the located audio data files, and the audio content identification received by the browser module identifies a selected one or more of the located audio data files.

Cohen teaches a web spider that collects collaborative data for finding music to recommend to a user (see abstract). Specifically, in view of Zintel's teachings with respect to UPnP and Wiser's teachings with respect to media servers, it would have been obvious to use the web spider to seek out databases of recommended music. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Wiser, Zintel, and Cohen for finding new servers with interesting musical choices.

23. Regarding **claim 19**, see the preceding rejection with respect to claims 17 and 5. The combination teaches the system of claim 17, further comprising these features.

24. **Claims 13 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wiser, Gibbs, and Zintel as applied to claim 12 above, and further in view of well-known prior art.

25. Regarding **claim 13**, see the preceding rejection with respect to claim 12. The combination teaches the system of claim 12. However the combination does not appear to explicitly teach:

the list of audio data files is a format specific playlist, the content server module further comprises a play-list parser configured to convert the format specific playlist into a generic file list.

The examiner takes Official Notice that it is well-known at the time of the invention to one of ordinary skill in the art to use playlists. Specifically, mpeg-1 layer 3 (i.e. mp3 files) are well-known and their playlist files (i.e. m3u files) are well-known. It is further well-known that mp3 playlists are configured into a generic list of mp3 files when the m3u file is parsed by an audio player, such as the well-known WINAMP. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Wiser, Zintel, and the well-known prior art for the purpose of providing playback of several files with one hyperlink or file.

26. Regarding **claim 25**, see the preceding rejection with respect to claims 24 and 13. The combination teaches the system of claim 24, further comprising these features.

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hindus et al., US 6,754,546 B1, teaches sharing audio between rooms from a central server (see abstract and figure 1);

Champion, US 6,778,869 B2, teaches a remote control unit for controlling an audio source in different rooms (see abstract, figure 6, and column 8, lines 23-49); and

Ishii, US 6,778,493 B1, teaches a multimedia server with a plurality of clients (see abstract and figures 1-5).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL SELLERS whose telephone number is (571)272-7528. The examiner can normally be reached on Monday to Friday, 10 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Davetta W. Goins can be reached on (571)272-2957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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